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GOVERNMENT OF INDIA

OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION

TECHNICAL CENTRE, OPPOSITE SAFDARJUNG AIRPORT, NEW DELHI – 11 0 003

**CIVIL AVIATION REQUIREMENTS
SECTION 3 – AIR TRANSPORT
SERIES M PART VI
ISSUE II, Dated: May 2017**

EFFECTIVE: FORTHWITH

F. No. 23-14/2014-AED

Subject: Handling of unruly/disruptive passengers.

1. INTRODUCTION

- 1.1 Adoption of unlawful/disruptive behavior in any situation on board the aircraft or during embarkation/disembarkation may interfere with the performance of the duties of the crew member or lessens the ability of the crew member to perform those duties or jeopardize the safety of the aircraft/persons/property on board/good order & discipline on board, aggravate discomfort to other passengers & crew members and may invite penal action in accordance with applicable regulations. In such a situation passengers are expected to abide by law of the land and utilise the means and resources for grievance redressal as specified by the Government.
- 1.2 Even if passenger feels that the resource in redressal system has limitation, the unlawful/disruptive action is certainly not a solution.
- 1.3 The unruly/disruptive behavior on-board aircraft has been declared as an offence and is a punishable act. Although unruly passengers represent only a minute proportion of passengers as a whole, we must never forget that one aggressive passenger can jeopardise safety on board. Unruly passengers affect all personnel involved in the process connected with a flight operation.
- 1.4 This CAR is issued under the provisions of Rule 22, Rule 23 and Rule 29 of the Aircraft Rules, 1937 and with the approval of Ministry of Civil Aviation for information, guidance and compliance of all concerned.

2. APPLICABILITY

2.1 The provisions contained in this CAR shall be applicable to the following:

- a) All Indian operators engaged in scheduled and non-scheduled air transport services both domestic and international for carriage of passengers.
- b) All foreign carriers engaged in scheduled air transport operating to and from Indian Territory.
- c) All airport operators within Indian Territory.
- d) All passengers during the period of air travel in or over India.

3. DEFINITION

3.1 **Disruptive passenger** - A passenger who fails to respect the rules of conduct at an airport or on board an aircraft or to follow the instructions of the airport staff or crew members and thereby disturbs the good order and discipline at an airport or on board the aircraft.

3.2 **Disembarkation** means leaving an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight.

3.3 **Embarkation** means boarding an aircraft for the purpose of commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight.

4. Requirements for Dealing with Unruly/Disruptive Person

4.1 Every reasonable effort to protect passengers and personnel against any offence by unruly and disruptive passengers shall be made.

4.2 Condition of carriage shall include statutory warning specifying act which have been declared unlawful/disruptive act under the provisions of the Aircraft Rules, 1937.

4.3 Airline shall establish Standard Operating Procedure(SOP) including the role of ground staff, flight crew, airline airport manager and airline central operational control to deal with unruly/disruptive passenger while at airport or on board aircraft. The SOP shall be communicated throughout the organization and especially to all

employees that are in direct contact with passengers, both on the ground and on the aircraft.

- 4.4 Passengers who are likely to be unruly and disruptive must be carefully monitored, and if necessary, refused embarkation or off-loaded, if deemed to pose a threat to the safety and security of the flight, fellow passengers or staff while on board aircraft.
- 4.5 Airline shall establish mechanism to detect and report unruly passenger behaviour at check-in, in the lounges, and at the boarding gate in order to prevent such passengers from boarding. In case of occurrence of an act of unruly behaviour while the aircraft is on the ground, such cases shall be reported immediately in writing and First Information Report (FIR) lodged with security agency at the aerodrome for assistance.
- 4.6 Unruly behaviour could be the result of an event of unsatisfactory service/ condition or effect of a series of such events that build up. Airline staff should observe early signs of potential unruly behaviour. Airlines shall focus and act on these early signs, rather than dealing exclusively with escalated events. At no stage, the airline staff/crew member shall show discourteous behavior during redressal of genuine passenger rights.
- 4.7 Crew members must attempt to defuse a critical situation until it becomes clear that there is no way to resolve through verbal communication and written notice to passenger. Applying restraining devices should be used when all conciliatory approaches have been exhausted.
- 4.8 Passengers shall be made aware through display at prominent locations in the airport terminal building that any act, which is considered offence on the ground and invites penal action as per law, is also an offence if committed onboard aircraft.
- 4.9 The passenger shall also be made aware that in case his behavior falls into one of the following categories, he/she is likely to be breaking the law and could be arrested on arrival at destination, or at any other airport where the aircraft commander may choose to land:
 - a) Consuming alcoholic beverages or drugs resulting in significant intoxication and unruly behavior.

- b) Smoking in an aircraft
- c) Failure to obey the instructions of the pilot-in-command
- d) Acting in a disruptive manner by:
 - i) use of any threatening, abusive or insulting words towards a member of the crew or other passengers;
 - ii) physically behaving in a threatening, abusive, insulting or disorderly manner towards a member of the crew or other passengers;
 - iii) intentionally interfering with the performance of a crew member.
- e) Endangering the safety of an aircraft and persons therein

4.10 Airlines shall categorize all such cases of unruly behavior as indicated in Para 4.9 to this CAR into following categories:

- a) Level 1: Disruptive behavior (physical gestures, verbal harassment, unruly inebriation, etc.)
- b) Level 2: Physically abusive behavior (pushing, kicking, hitting, grabbing or inappropriate touching or sexual harassment, etc.)
- c) Level 3: Life-threatening behavior (damage to aircraft operating system, physical violence such as choking, eye gouging, murderous assault, attempted or actual breach of the flight crew compartment, etc.)

4.11 Pilot-in-command shall quickly assess if the cabin crew can control the unruly passenger and accordingly relay this information to the airline's central control on the ground.

4.12 Airline's central control shall, in consultation with pilot-in-command, identify the alternate aerodrome for landing of aircraft as quickly as possible. Security agencies, duty manager at alternate aerodrome and ground staff shall be informed for appropriate action at landing.

4.13 Upon landing of aircraft, pilot-in-command shall lodge FIR with security agency at aerodrome and hand over the unruly passenger to security agency.

5. Training

- 5.1 Flight crew, cabin crew and ground staff should be properly trained and be in possession of procedures to deal with unruly and disruptive passengers.
- 5.2 The training should provide knowledge on how to detect, defuse and prevent critical situations, about the causes of various types of disruptive behavior and ways to handle critical situations along with reporting thereto.
- 5.3 The training modules so designed must include duties of such operating personnel, ground staff, cabin crew and flight crew dealing with conflict and its aftermath, ways/means to mitigate the situations that occurs due to long waiting lines, the flight being overbooked, delays & diversion/cancellation, lack of information, etc.
- 5.4 In an endeavour to defuse a volatile situation, airline shall establish a mechanism to identify from incidents of disruptive behaviour and analyse on a continued basis in order to impart enhanced customer skills training to frontline staff which would help them manage rude and aggressive passengers and prevention of such occurrences.

6. Processing and Reporting of Unruly/Disruptive Passengers

- 6.1 Whenever an airline receives a complaint of unruly/disruptive behavior by a passenger, then the incident shall be referred by the airlines to an Internal Committee. This Internal Committee shall be constituted by the airline and it shall consist of the following:
 - a) Retired District & Sessions Judge as Chairman.
 - b) A representative from a different scheduled Airline as Member.
 - c) Representative from a passengers association or consumer association or retired officer of Consumer Dispute Redressal Forum as Member.
- 6.2 This Internal Committee shall decide, within a period of ten days of the matter being referred to it, whether the passenger in question falls in the category of unruly/disruptive passengers, and also decide the Level, with reference to para 4.10 of this CAR, in which this passenger is to be slotted. This Committee will also decide the period for which the passenger is to be barred from flying as provided in para 8.1 of this CAR.
- 6.3 Pending decision of the Internal Committee, the airline may ban such unruly passenger from flying, which may not exceed a period of 10 days.

6.4 The decision of the internal committee shall be binding on the Airline concerned. In case this Committee fails to take a decision in the matter within ten days, then the Airline concerned shall be free to decide the matter appropriately, exercising the powers of this Committee.

6.5 The Airlines shall maintain a database of all unruly / disruptive passengers and shall inform the same to DGCA and to other airlines as and when they occur. This shall form a National No-Fly List of unruly/disruptive passengers and contain the following information:

- a) Full name of the Passenger
- b) Contact details viz. phone number, email address, postal address, etc. (as indicated at the time of booking the ticket)
- c) Details of identification document, viz., Aadhar card, passport etc.
- d) Date of occurrence and details of the incident
- e) Sector
- f) Flight Number
- g) Seat number
- h) Category Level (as per para 4.10 of this CAR)

6.6 Reporting to DGCA shall be made in accordance with the provisions of Cabin Safety Circular 02 of 2010.

6.7 Instances of passengers posing a threat to flight safety or the security of fellow passengers or operating crew shall be reported to the security official/SHO/CISF according to guidelines/instruction/circular/direction issued by BCAS and/or airport operator.

7. **National Security**

The Ministry of Home Affairs will provide to DGCA and to the Airlines a list of individuals identified as national security threats for inclusion in the No-Fly List under para 6.4 of this CAR. Such cases will not be covered by appeal provisions as provided under Para 8.4 of this CAR.

8. **General**

8.1 For any person who is placed on the No-Fly List, airlines shall have option to bar him from taking flights to/from/within India for periods as indicated below. Sale of ticket by mistake to such a person shall not confer a right upon him to fly. This shall be in addition to any action that may be taken against him under the appropriate law:

- a) Level 1 upto three months
- b) Level 2 upto six months
- c) Level 3 for a minimum period of 2 years or more without limit
- d) Persons covered under Para 7 Barred till such time that the person is perceived to be national security risk by the Ministry of Home Affairs.

8.2 For every subsequent offence, the person will be banned for twice the period of previous ban.

8.3 The person so included in the No-Fly List shall be informed in writing by the Airline concerned about his having been included in the list, the reason therefor and the duration of the ban.

8.4 Aggrieved persons (other than those covered under para 7 of this CAR), on receipt of intimation from airline, may appeal against each such ban to an Appellate Committee constituted by the Ministry of Civil Aviation, which shall consist of the following:

- a) Retired Judge of a High Court of India
- b) Representative from a passengers association or consumer association or retired officer of Consumer Dispute Redressal Forum as Member.
- c) Representative of the airline of the rank not below the Vice-President as Member.

8.5 The decision of the Appellate Committee shall be final in so far as the Government is concerned. Any further appeal shall lie in a High Court.

(B.S. Bhullar)
Director General of Civil Aviation